

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

COREY THOMAS and
PRINCE BECK,

Defendants.

ORDER

08-cr-87-bbc

At a telephone hearing held on February 9, 2009, I reconsidered my earlier order to deny defendants access to the criminal history portion of Michael Simmons's presentence report. Steven Sinnott and Elizabeth Altman appeared for the government. Robert Ruth and Reed Cornia appeared for defendants, who did not participate in the telephone conference.

After hearing argument from defendants, I hewed to my earlier decision to deny defendants access to Simmons's presentence report. It may be true that it would be easier for defendants to obtain the copies of the judgment and pleadings relating to Simmons's criminal history, however, it is the case that counsel are in the position to obtain those themselves. Moreover, the government has represented that it expects that Simmons will not deny any of his previous criminal convictions if he takes the stand and defendants seek

to impeach him with those convictions.

ORDER

IT IS ORDERED that defendants Thomas and Beck's motion for disclosure of Michael Simmons's criminal judgments and pleadings is DENIED.

Entered this 12th day of February, 2009.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge